



**Waukesha County Criminal Justice Collaborating Council
Case Processing Committee Minutes
Thursday, September 27, 2018**

Team Members Present:

Hon. Ralph Ramirez
Sue Opper
Monica Paz

Sara Scullen
Frank McElderry
Chris Ehrfurth

Katie Kegel
Michael Neimon

Others Present:

Kristina Gordon
Karla Gabor

Janelle McClain
Gina Colletti

Rebecca Luczaj

Neimon called the meeting to order at 7:33 a.m.

Approve Minutes from July 26, 2018

Motion: McElderry moved, Paz second, to approve the minutes of July 26, 2018. Motion carried unanimously.

Review and Discuss Pretrial Conferencing Outcomes

Paz distributed and reviewed documents titled "Pretrial Conference Attorney Breakdown," "Summary Data of Pretrial Pilot," and a list of pretrial conferencing dates held with the presiding judge and the number and percent of cases broken down by each judge.

Ehrfurth arrived at 7:34 a.m. Opper arrived at 7:35 a.m.

The group observed that the age of cases seems to be decreasing, which means cases are resolving quicker, but September 18 saw a lower percentage of cases resolving.

Gordon stated that Branch 8 does not have consistent internet access, causing issues when working with the clerks. Ramirez offered his courtroom as an alternative for Branch 8 if he does not have a trial going on.

Gordon stated that it is helpful to have copies of the DOT printouts that defendants receive at their initial appearance. A staff member of the District Attorney's Office had said that the extra copy was not necessary; Opper will follow up on this and request that they continue to receive the paperwork.

Kegel arrived at 7:40 a.m.

The data that is currently being collected does not capture the number of cases that resolve at plea and sentencing because of pretrial conferences. Even though some cases are not resolved at the time of the pretrial conference, the case is still being resolved in a shorter timeframe overall.

Ramirez commented that the January-July 2019 pretrial conferencing schedule is currently being developed. Aprahamian is rotating to Family Court in January, so reserve judges will be utilized in the interim. The new Criminal/Traffic judge likely will not be assigned to pretrial conferences right away.

Discuss Distribution of DMV Information Sheets

Scullen stated that she has defendants who know when they would be obtaining their license. For example, if they know they can obtain their license in January, can she schedule the pretrial conference date for February so that the likelihood of the case resolving would be higher? Even though the case would continue to age, there would be fewer court appearances. Ramirez supported trying this, and making a notation that the commissioner allowed extra time for the defendant to obtain their license prior to appearing for their pretrial conference.

Discuss Accessibility of State Public Defender (SPD) Clients in the Jail

Kegel reported that the jail visiting restrictions, such as limited visiting hours, are putting limitations on the SPD attorneys being able to meet with their clients in the jail. Ehrfurth agreed, stating that the visiting hours are usually when the attorneys are in court. Kegel and Ehrfurth stressed the need to be able to speak to their clients in person.

Ramirez will communicate to the judges that there is a legitimate need to have defendants brought in on an order to produce (OTP), and that the attorneys be notified. McElderry commented that he has looked into these issues. While the hours becoming more limited may have to do with staffing issues, the OTPs could be an issue due to a lack of resources (vans).

The committee agreed that data would need to be collected in order to define the extent of the problem. Ramirez suggested that this be the next project that the committee focuses on. He stressed that while some of the issues may be worked out right away, things are changing on a regular basis with the courthouse construction. Scullen suggested that a member of the jail staff be included in committee meetings during the construction project. Opper added that the issues all have to do with staffing, timing, and safety; and ultimately, the decision for the potential changes is up to Sheriff Severson, not this committee.

McElderry stated that Sheriff Severson is supportive of video conferencing; however, when an RFP went out recently, no one responded to it.

Scullen left at 8:10 a.m.

Paz stated that the Clerk's Office is tracking why attorneys were unable to meet with their clients, so there is data for lock-ups, which we can review at the next meeting.

McElderry will follow-up on how many of the video conferencing terminals are working and will ask Angie Wollenhaupt to attend the next Case Processing meeting so the committee can obtain initial input and have involvement from the jail. The committee members agreed that there has to be an understanding that the meeting is not to assign blame, but rather to identify if there is a problem, and if so, how the problem can be addressed. McElderry stressed that the scope of the discussion must be kept to case processing.

Paz will set up a tour of the jail for the next committee meeting.

Discuss Impact of Courthouse Remodel Project on Case Processing

This topic will be tabled until after the jail tour is complete.

Adjourn

The meeting adjourned at 8:25 a.m.